

UNITED STATES DISTRICT COURT

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for

Jan 28, 2019

Eastern District of Washington

SEAN F. McAVOY, CLERK

U.S.A. vs. Howard, Darrin Jay Docket No. 0980 1:18CR02052-LRS-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Jose Zepeda, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant, Darrin Jay Howard, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge Mary K. Dimke sitting in the court at Yakima, Washington, on the 7th day of November, 2018, under the following conditions:

Special Condition #6: Defendant shall submit to random urinalysis and/or Breathalyzer testing as directed by the United States Probation/Pretrial Services Office, to include portable Breathalyzer testing up to six times per day. Defendant is responsible for the cost of portable Breathalyzer testing.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Violation #1: Darrin Jay Howard is alleged to have failed to submit to scheduled Breathalyzer tests January 26 and 27, 2019.

On November 8, 2018, the conditions of pretrial release supervision were reviewed and signed by Mr. Howard. He acknowledged and understanding of his conditions, which included special condition number 6.

On November 9, 2018, confirmation was received from Smart Start indicating the defendant enrolled in their Breathalyzer testing program.

On January 28, 2019, this officer received the daily testing summary report from Smart Start regarding Breathalyzer results for January 26 and 27, 2019. The summary report indicated the defendant failed to submit to Breathalyzer testing during the 6 a.m. to 7 a.m. testing period. As a result of this non-compliance, the defendant has been confronted regarding this requirement. The defendant had no excuse other than he had slept through the sound of the Smart Start Breathalyzer device.

PRAYING THAT THE COURT WILL ORDER A SUMMONS AT THIS TIME

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: January 28, 2019

by s/Jose Zepeda

Jose Zepeda
U.S. Pretrial Services Officer


Re: Howard, Darrin Jay

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other

M. K. Brinke 

Signature of Judicial Officer

1/28/2019

Date